

For the reasons set forth in the accompanying brief, Plaintiff Home Depot U.S.A., Inc. respectfully moves for summary judgment pursuant to Federal Rule of Civil Procedure 56.

Respectfully submitted,

#3474522v1

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CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2022, I electronically filed the foregoing
PLAINTIFF HOME DEPOT U.S.A., INC.'S MOTION FOR SUMMARY JUDGMENT
with the Clerk of Court using the CM/ECF system, which will automatically send e-mail
notification of such filing to the attorneys of record for all parties.

/s/ Eliza L. Taylor
Eliza L. Taylor